

PUBLIC SAFETY DEPARTMENT[661]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 101.1, the State Fire Marshal hereby gives Notice of Intended Action to amend Chapter 226, “Liquefied Petroleum Gas,” Iowa Administrative Code.

Iowa Code section 101.1 authorizes and directs the Fire Marshal to establish requirements for the safe transportation, storage, handling, and use of liquefied petroleum gases. Iowa Code section 101.3 requires that the rules established for liquefied petroleum gas be “separately formulated and separately promulgated” from rules establishing requirements for transportation, storage, handling, and use of flammable and combustible liquids.

Rules for the safe transportation, storage, handling and use of liquefied petroleum gas are found in Chapter 226 of the administrative rules of the Department of Public Safety. The amendments proposed herein update references to current editions of nationally accepted codes and standards and clarify other requirements.

The amendments proposed herein are based upon the use of provisions of the International Fire Code, with amendments, as safety requirements related to liquefied petroleum gas. This is consistent with Fire Marshal rules establishing general fire safety requirements.

A public hearing on these proposed amendments will be held on October 13, 2010, at 9:30 a.m. in the First Floor Public Conference Room, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa. Persons may present their views concerning these amendments at the public hearing orally or in writing.

Any interested persons may make written comments concerning these proposed amendments to the Agency Rules Administrator by mail to Agency Rules Administrator, Iowa Department of Public Safety, 215 East 7th Street, Des Moines, Iowa 50319; E-mail to admrule@dps.state.ia.us; or fax to (515)725-6195 by 4:30 p.m. on October 12, 2010. While comments are welcome on any provision of these proposed amendments, the Fire Marshal specifically solicits comments on the subject of restricting the use of rail cars for storage of propane and the use of this method of storage on farms. The Fire Marshal is interested in hearing comments on whether an exception should be made to the general restrictions on storage of propane in rail cars (proposed rule 661—226.7(101)) to allow such storage on farms and how such an exception could be formulated to maintain the safety of the public and those working and living on farms where storage of propane in rail cars occurs.

These amendments are intended to implement Iowa Code chapter 101.

The following amendments are proposed.

Amend **661—Chapter 226** as follows:

CHAPTER 226 LIQUEFIED PETROLEUM GAS

661—226.1(101) General requirements. The provisions of the International Fire Code, Chapter 38, 2006 2009 edition, published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041, and all references contained therein, are hereby adopted by reference as the general requirements for transportation, storage, handling, and use of liquefied petroleum gas, with the following amendments:

Delete section 3801.1 and insert in lieu thereof the following new section:

3801.1 Scope. Storage, handling and transportation of liquefied petroleum gas (LP-gas) and the installation of LP-gas equipment pertinent to systems for such uses shall comply with this chapter, NFPA 54, ANSI Z223.1-2006 2009 National Fuel Gas Code, ~~2006~~ 2009 edition, and NFPA 58, Liquefied Petroleum Gas Code, ~~2004~~ 2008 edition, with the following amendments:

Amend NFPA 54, ANSI Z223.1-2006 2009 National Fuel Gas Code, ~~2006~~ 2009 edition, as follows:

Delete section 7.3.5.2 and insert in lieu thereof the following new section:

7.3.5.2 Gas piping underground, outside a building, shall not be in physical contact with any concrete. Where it is necessary to install piping that will extend through or under an exterior concrete slab for connection to a regulator or other part of the system, before entering a building, the gas piping shall be sleeved. The sleeve shall extend through the concrete and be sealed only at the end extending above grade to prevent the entrance of insects, debris, or moisture. All piping, fittings, and risers shall be protected against corrosion in accordance with NFPA 54, National Fuel Gas Code, 2004 edition, section 5.6.6.

Delete section 8.2.1 and insert in lieu thereof the following new section:

8.2.1 Leak checks using fuel gas (propane vapor) shall be permitted in piping systems that have been pressure-tested in accordance with 661—subrule 226.5(1).

Amend NFPA 58, Liquefied Petroleum Gas Code, ~~2004~~ 2008 edition, as follows:

Properties of LP-gases shall be determined in accordance with Annex B of NFPA 58.

Delete section 5.2.3.1 and insert in lieu thereof the following new section:

5.2.3.1 DOT cylinders in stationary service that are filled on site and therefore are not under the jurisdiction of DOT shall be either requalified in accordance with DOT requirements or visually inspected within 12 years of the date of manufacture and every 5 years thereafter, in accordance with 5.2.3.1(A) through 5.2.3.1(C). The effective date for qualification and requalification requirements of this section shall be July 1, 2010.

(A) Any cylinder that fails one or more of the criteria in 5.2.3.1(C) shall not be refilled or continued in service until the condition is corrected.

(B) Personnel shall be trained and qualified to perform inspections. Initial and refresher training shall be in accordance with rule 661—226.4(101).

(C) Visual inspection shall be performed in accordance with the following:

(1) The cylinder is checked for exposure to fire, dents, cuts, digs, gouges, and corrosion according to CGA C-6-2005, Standards for Visual Inspection of Steel Compressed Gas Cylinders, ninth edition, except that paragraph 5.2.1.1(1) of that standard (which requires tare weight verification) shall not be part of the required inspection criteria.

(2) The cylinder protective collar (where utilized) and the foot ring are intact and are firmly attached.

(3) The cylinder is painted or coated to retard corrosion.

(4) The cylinder pressure relief valve indicates no visible damage, corrosion of operating components, or obstructions.

(5) There is no leakage from the cylinder or its appurtenances that is detectable without the use of instruments.

(6) The cylinder is installed on a firm foundation and is not in contact with the soil.

(7) A cylinder that passes the visual examination shall be marked with the month and year of the examination followed by the letter “E” (for example, 10-01E, indicating requalification in October 2001 by the external inspection method) and the requalifier identification number (RIN) in accordance with the requalifying agency’s permit issued by the United States Department of Transportation.

(8) The results of the visual inspection shall be documented, and a record of the inspection shall be retained for a 5-year period or until the cylinder is again requalified, whichever occurs first.

Delete section 6.6.7.1 and insert in lieu thereof the following:

6.6.7.1 Installation of permanent, stationary containers on roofs of buildings shall be prohibited.

Delete section 6.6.7.2.

Delete section 6.9.3.14 and insert in lieu thereof the following new section:

6.9.3.14 Underground metallic piping shall be protected against corrosion as warranted by soil conditions (see section 6.16). Underground gas piping that is outside a building shall not be in physical contact with any concrete.

Delete sections 6.12, 6.12.1, 6.12.2, and 6.12.3 6.14, 6.14.1, 6.14.2, and 6.14.3.

NOTE: Properties of LP-gases shall be determined in accordance with Appendix B of NFPA 58.

Delete paragraph 6.17.1.2(C) and insert in lieu thereof the following new paragraph:

6.17.1.2(C) Cylinders installed permanently on roofs of buildings shall be prohibited.

Delete section 6.17.11.1, including paragraphs (A) through (F), and insert in lieu thereof the following new section:

6.17.11.1 Cylinders installed permanently on roofs of buildings shall be prohibited.

Delete section 6.17.11.2.

Delete paragraph 6.19.1.2(C) and insert in lieu thereof the following new paragraph:

6.19.1.2(C) Cylinders installed permanently on roofs of buildings shall be prohibited.

Delete section 6.19.11.1, including paragraphs (A) through (F), and insert in lieu thereof the following new section:

6.19.11.1 Cylinders installed permanently on roofs of buildings shall be prohibited.

Delete section 6.19.11.2.

Delete section 7.2.1.1 and insert in lieu thereof the following new section:

7.2.1.1 Transfer operations shall be conducted by qualified personnel meeting the provisions of rule 661—226.4(101).

Delete section 11.2 and insert in lieu thereof the following new section:

11.2 Each person engaged in installing, repairing, filling, or otherwise servicing an LP-gas engine fuel system shall be trained in accordance with rule 661—226.4(101) and trained under the applicable installation and maintenance procedures established by the manufacturer.

Delete section 3801.2.

Delete section 3801.3 and insert in lieu thereof the following new section:

3801.3 Construction documents. Where a single container is more than 2,000 gallons (7,570 L) in water capacity or the aggregate capacity of containers is more than 4,000 gallons (15,140 L) in water capacity, the installer shall submit construction documents for such installation to the fire marshal for review and approval. Installation shall not commence until written approval from the fire marshal has been received.

Delete section 3803.1 and insert in lieu thereof the following new section:

3803.1 General. LP-gas equipment shall be installed in accordance with NFPA 54, ANSI Z223.1-2006 2009 National Fuel Gas Code, 2006 2009 edition, and NFPA 58, Liquefied Petroleum Gas Code, 2004 2008 edition, except as otherwise provided in this chapter.

Delete section 3803.2.1.7 and insert in lieu thereof the following new section:

3803.2.1.7 Use for food preparation. Where approved, listed LP-gas commercial food service appliances are allowed to be used for food preparation within restaurants and in attended commercial food-catering operations in accordance with NFPA 54, ANSI Z223.1-2006 2009 National Fuel Gas Code, 2006 2009 edition, the International Mechanical Code, 2006 2009 edition, and NFPA 58, Liquefied Petroleum Gas Code, 2004 2008 edition.

NOTE: The following are deletions from the adoption of the International Fire Code, 2006 edition.

Delete section 3803.3 and insert in lieu thereof the following new section:

3803.3 Location of equipment and piping. Equipment and piping shall not be installed in locations where such equipment and piping are prohibited by NFPA 54, ANSI Z223.1-2006 2009 National Fuel Gas Code, 2006 2009 edition.

Delete section 3805.1 and insert in lieu thereof the following new section:

3805.1 Nonapproved equipment. LP-gas shall not be used for the purpose of operating devices or equipment unless such device or equipment is approved for use with LP-gas in accordance with NFPA 58, Liquefied Petroleum Gas Code, 2004 2008 edition, sections 1.5 through 1.5.3.

Delete section 3806.1 and insert in lieu thereof the following new section:

3806.1 Attendants. Transfer operations shall be conducted by qualified personnel meeting the provisions of rule 661—226.4(101).

Amend sections ~~308.3.1.1~~, 3803.2.1.6, 3809.3, and 3809.9, exception 3 to section 308.1.4, and the exception to section 3809.7 by deleting the phrase “~~a maximum~~ water capacity of ~~2.5 gallons~~ $2\frac{1}{2}$ pounds” and inserting in lieu thereof the phrase “~~a maximum~~ water capacity of 2.7 gallons pounds.”

661—226.2(101) No change.

661—226.3(101) No change.

661—226.4(101) Qualifications of personnel.

226.4(1) Persons who transfer liquefied petroleum gas, who are employed to transport liquefied petroleum gas, or whose primary duties fall within the scope of this chapter shall be trained in proper handling procedures.

a. Training shall include both initial training and refresher training.

(1) Initial training shall include participation in a training program and shall include both a written qualification assessment (closed-book test) and a skills assessment, based on the objectives set forth in the recognized training program and the requirements of NFPA 54 National Fuel Gas Code, ~~2006~~ 2009 edition, NFPA 58 Liquefied Petroleum Gas Code, ~~2004~~ 2008 edition, and any applicable requirements established in this chapter.

(2) Refresher training shall include both a written qualification assessment (closed-book test) and a hands-on skills assessment based on requirements of NFPA 54 National Fuel Gas Code, ~~2006~~ 2009 edition, NFPA 58 Liquefied Petroleum Gas Code, ~~2004~~ 2008 edition, and any applicable requirements established in this chapter.

(3) The written qualification assessment shall be proctored through the training agency providing the refresher training or another qualified party.

(4) The hands-on skills assessment shall be completed by the training agency or another qualified party and shall include a verification of completion that shall be signed by the individual completing the required skills and the skills evaluator.

(5) Refresher training shall be provided at least every three years.

b. All training shall be documented. Documentation shall be maintained by the current employer of the person receiving the training.

226.4(2) Persons who install, service, test, or maintain propane gas utilization equipment, or gas piping systems of which the equipment is a part, or accessories shall be trained in the proper procedures in accordance with applicable codes.

a. Initial training shall include participation in a training program and shall include both a written qualification assessment (closed-book test) and a skills assessment, based on the objectives set forth in the recognized training program and the requirements of NFPA 54 National Fuel Gas Code, ~~2006~~ 2009 edition, NFPA 58 Liquefied Petroleum Gas Code, ~~2004~~ 2008 edition, and this chapter.

b. Refresher training shall include both a written qualification assessment (closed-book test) and a hands-on skills assessment based on requirements of NFPA 54 National Fuel Gas Code, ~~2006~~ 2009 edition, NFPA 58 Liquefied Petroleum Gas Code, ~~2004~~ 2008 edition, and this chapter.

c. The written qualification assessment shall be proctored through the training agency providing the refresher training or another qualified party.

d. The hands-on skills assessment shall be completed by the training agency or another qualified party and shall include a verification of completion that shall be signed by the individual completing the required skills and the skills evaluator.

e. Refresher training shall be provided at least every three years.

f. All training shall be documented. Documentation shall be maintained by the current employer of the person receiving the training.

226.4(3) No change.

661—226.5(101) Pressure testing.

226.5(1) Pressure testing required. After assembly and after any modification or repair, metallic LP-gas piping and hose shall be pressure-tested as follows:

- a. No change.
- b. Piping systems having operating pressures of 20 psig or less, all polyethylene and polyamide piping, and piping to which NFPA 54 National Fuel Gas Code, ~~2006~~ 2009 edition, is applicable, shall be tested in accordance with that code.

~~**226.5(2)** Testing for leakage. All LP-gas piping systems having operating pressures of 20 psig or less and all polyethylene and polyamide piping shall have system and equipment leakage tests performed in accordance with this chapter and Section 8.2 NFPA 54 National Fuel Gas Code, 2006 edition.~~

226.5(2) Testing for leakage. Immediately after the gas is turned on into a new system or into a system that has been initially restored after an interruption of service, the piping system shall be checked for leakage in accordance with this chapter and Section 8.2 of NFPA 54, National Fuel Gas Code, 2009 edition. Where leakage is indicated, the gas supply shall be shut off until the necessary repairs have been made.

a. All LP-gas piping systems that have operating pressures of 20 psig or less and all polyethylene and polyamide piping shall have system and equipment leakage tests performed in accordance with this chapter and Section 8.2 of NFPA 54, National Fuel Gas Code, 2009 edition.

b. Piping systems that serve industrial occupancies with LP-gas vapor pressures between 20 psig and 50 psig shall be tested in accordance with the requirements of the authority having jurisdiction.

c. All LP-gas liquid piping systems and vapor piping systems operating at pressures greater than 20 psig shall be tested for leakage in accordance with this chapter as follows:

- (1) Propane liquid shall not be used.
- (2) Propane vapor may be utilized.
- (3) Methods utilized to perform leak tests may be measurement of flow, measurement of sustained pressure for a period of time sufficient to disclose any leaks, or other procedures adequate to verify the system is gas-tight.

226.5(3) and 226.5(4) No change.

661—226.6(101) No change.

661—226.7(101) Use of railroad tank cars in stationary service. The use of railroad tank cars in stationary propane service shall be prohibited.

EXCEPTION: Existing installations for which prior approval is documented in writing shall be permitted to remain in service.

661—226.8(101) Installation and use of DOT specification MC330 or MC331 cargo tanks in stationary service. The installation and use of DOT specification MC330 or MC331 cargo tanks in stationary service shall be in accordance with NFPA 58, 2008 edition, and this chapter.

226.8(1) Containers shall be repaired or altered to prevent moisture or water from collecting in any container well. Repairs or alterations to pressure vessels must meet the requirements of the National Board Inspection Code (NBIC) [5] and must be performed by a repair organization accredited by the NBIC and authorized to utilize the “R” code symbol stamp.

226.8(2) Following a repair or alteration and final inspection by a National Board-commissioned inspector, the repair organization will affix a “Repair” nameplate to the pressure vessel which is similar to the ASME nameplate.

226.8(3) Alternate methods for preventing moisture or water from collecting in any container well may be considered in accordance with the equivalency requirements set forth in NFPA 58, 2008 edition, Section 1.5, Equivalency.

These rules are intended to implement Iowa Code chapter 101.